

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

DAVID STEPHENS, SR., DAVID STEPHENS,)
JR., AND ELIZABETH BIERBAUER D/B/A)
LESLIE GAS COMPANY)

CASE NO.
89-277

ALLEGED FAILURE TO COMPLY WITH)
COMMISSION REGULATION 807)
KAR 5:006, SECTION 3(1))

O R D E R

On January 12, 1990, the Commission assessed a penalty of \$500 against Elizabeth Bierbauer for her willful failure to comply with the provisions of KRS 278.230(3) and Commission Regulation 807 KAR 5:006, Section 3(a). The Commission further suspended \$400 of this penalty for a period of 45 days and ordered that this portion of the penalty be vacated if the financial and statistical report on the utility operations of Leslie Gas Company for the 1988 calendar year was filed within that period.

Having reviewed the evidence of record and being otherwise sufficiently advised, the Commission finds that:

1. More than 45 days have elapsed since entry of the Commission's Order of January 12, 1990.

2. The financial and statistical report on the utility operations of Leslie Gas Company for the 1988 calendar year has not been filed.

3. Elizabeth Bierbauer has paid only \$100 of the assessed penalty of \$500.

IT IS THEREFORE ORDERED that:

1. David Stephens, Sr., David Stephens, Jr., and Elizabeth Bierbauer shall file within 20 days of the date of this Order the financial and statistical report on the utility operations of Leslie Gas Company for the 1988 calendar year.

2. Elizabeth Bierbauer shall pay within 20 days of the date of this Order the remaining \$400 of the assessed penalty. Payment shall be made by cashier's or certified check made payable to the Kentucky State Treasurer and delivered to Office of General Counsel, Public Service Commission of Kentucky, Post Office Box 615, Frankfort, Kentucky 40602.

Done at Frankfort, Kentucky, this 3rd day of May, 1990.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director